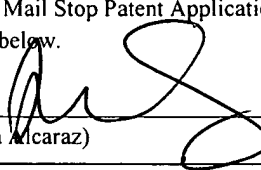


I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Certificate No. EV 332778452 US, in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 10/14/03

Signature: 

(Tamara Alcaraz)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Nurith KURN

Serial No.: Not Yet Assigned

Filing Date: Concurrently Herewith

For: METHOD AND COMMUNICATION
FOR TRANSCRIPTION-BASED
NUCLEIC ACID AMPLIFICATION

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449s. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/893,191, filed June 26, 2001, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. § 1.98(d)

and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☒ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the fee transmittal form is separated from this document and/or the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **492692000610**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: 10/13/03

Respectfully submitted,

By: Cara Coburn
Cara M. Coburn
Registration No. 46,631

MORRISON & FOERSTER LLP
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(650) 813-5600
Attorneys for Applicant

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number 492692000610	Application Number Not Yet Assigned
	Applicant Nurith KURN	
	Filing Date Concurrently Herewith	Group Art Unit To Be Assigned
	Mailing Date October 14, 2003	

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	11/22/1988	4,786,600	Kramer et al.			
	2.	10/24/1989	4,876,187	Duck et al.			
	3.	04/30/1991	5,011,769	Duck et al.			
	4.	07/14/1992	5,130,238	Malek et al.			
	5.	12/08/1992	5,169,766	Schuster et al.			
	6.	02/09/1993	5,185,243	Ullman et al.			
	7.	03/16/1993	5,194,370	Berninger et al.			
	8.	03/21/1995	5,399,491	Kacian et al.			
	9.	04/25/1995	5,409,818	Davey et al.			
	10.	01/02/1996	5,480,784	Kacian et al.			
	11.	04/23/1996	5,510,270	Fodor et al.			
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	14.	09/17/1996	5,556,752	Lockhart et al.			
	15.	11/26/1996	5,578,832	Trulson et al.			
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	17.	08/05/1997	5,654,142	Kievits et al.			
	18.	10/21/1997	5,679,512	Laney et al.			
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	20.	01/20/1998	5,710,028	Eyal et al.			
	21.	02/10/1998	5,716,785	Van Gelder et al.			
	22.	04/28/1998	5,744,312	Mamone et al.			
	23.	06/09/1998	5,763,178	Chirikjian et al.			
	24.	06/16/1998	5,766,849	McDonough et al.			
	25.	10/20/1998	5,824,517	Cleuziat et al.			
	26.	03/16/1999	5,882,867	Ullman et al.			

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	27.	03/30/1999	5,888,819	Goelet et al.			
	28.	12/21/1999	6,004,744	Goelet et al.			
	29.	12/21/1999	6,004,745	Arnold, Jr. et al.			
	30.	02/22/2000	6,027,889	Barany et al.			
	31.	02/29/2000	6,030,774	Laney et al.			
	32.	07/18/2000	6,090,591	Burg et al.			
	33.	10/17/2000	6,132,997	Shannon			

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Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation	
							YES	NO
	34.	04/21/1988	WO 88/02746 A1	PCT				
	35.	09/17/1992	WO 92/15712 A1	PCT				
	36.	09/04/1997	WO 97/32040 A2	PCT				
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	42.	11/23/2000	WO 00/70095 A2	PCT				

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	43.	Ausubel et al. (eds.) (1995). <u>Current Protocols in Molecular Biology</u> . John Wiley & Sons, Inc., pp. iii-xii (Table of Contents).
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	47.	Flanagan et al., (1999). "A Cytosine Analog That Confers Enhanced Potency to Antisense Oligonucleotides," <i>Proc. Natl. Acad. Sci. U.S.A.</i> 96(7):3513-3518.	
	48.	Fodor et al., (1991). "Light-Directed, Spatially Addressable Parallel Chemical Synthesis." <i>Science</i> 251:767-773.	
	49.	Freshney (ed.) (1987) <u>Animal Cell Culture</u> . IRL Press: Oxford, pp. vii-xii (Table of Contents).	
	50.	Gait (ed.) (1984) <u>Oligonucleotide Synthesis: A Practical Approach</u> . IRL Press: Oxford, pp. vii-xii (Table of Contents).	
	51.	Guatelli et al., (1990). "Isothermal, In Vitro Amplification of Nucleic Acids by a Multienzyme Reaction Modeled After Retroviral Replication." <i>Proc. Natl. Acad. Sci. U.S.A.</i> 87:1874-1878.	
	52.	Innis et al. (eds.) (1990) PCR Protocols: A Guide to Methods and Applications, Academic Press, pp v-x (Table of Contents).	
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	54.	Kumar et al., (1998). "The First analogues of Locked Nucleic Acids: Phosphorothioate-LNA and 2'-Thio-LNA" <i>Bioorg. Med. Chem. Lett.</i> 8(16):2219-2222.	
	55.	Lockhart et al., (1996). "Expression monitoring by hybridization to high-density oligonucleotide arrays." <i>Nature Biotechnology</i> 14:1675-1680.	
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		Spring Harbor Press, pp. xi-xxxviii (Table of Contents).
	66.	Sasaki et al., (1998) "Transcriptional Sequencing: A Method for DNA Sequencing Using RNA Polymerase." <i>Biochemistry</i> 95:3455-3460.
	67.	Scaringe et al. (1998) "Novel RNA Synthesis Method Using 5'-0-Silyl-2'-0-orthoester Protecting Groups." <i>J. Am. Chem. Soc.</i> 120:11820-11821.
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	71.	Shalon et al., (1996) "A DNA Microarray System for Analyzing Complex DNA Samples Using Two-color Fluorescent Probe Hybridization." <i>Genome Res.</i> 6:639-645.
	72.	Wahlestedt et al. (2000) "Potent and Nontoxic Antisense Oligonucleotides Containing Locked Nucleic Acids." <i>Proc. Natl. Acad. Sci.</i> 97(10):5633-5638.
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U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	03/29/2001	2001/0000077	Engelhardt et al.			
	2.	11/15/2001	2001/0041334	Rashtchian et al.			
	3.	05/16/2002	2002/0058270	Kurn			
	4.	08/22/2002	2002/0115088	Kurn			
	5.	11/07/2002	2002/0164628	Kurn			
	6.	01/23/2003	2003/0017591	Kurn			
	7.	04/15/1986	4,582,788	Erlich			
	8.	07/28/1987	4,683,194	Saiki et al.			
	9.	03/13/1990	4,908,385	Bar-Tana et al.			
	10.	08/27/1991	5,043,272	Hartley			
	11.	06/27/1995	5,427,911	Ruano			
	12.	06/27/1995	5,427,929	Richards et al.			
	13.	08/01/1995	5,437,990	Burg et al.			
	14.	04/16/1996	5,508,178	Rose et al.			
	15.	08/13/1996	5,545,522	Van Gelder et al.			
	16.	12/31/1996	5,589,339	Hampson et al.			
	17.	01/21/1997	5,595,891	Rose et al.			
	18.	08/26/1997	5,660,988	Duck et al.			
	19.	09/09/1997	5,665,545	Malek et al.			
	20.	03/24/1998	5,731,146	Duck et al.			
	21.	04/28/1998	5,744,308	Guillou-Bonnici et al.			
	22.	10/20/1998	5,824,518	Kacian et al.			
	23.	12/08/1998	5,846,710	Bajaj			
	24.	12/15/1998	5,849,547	Cleuziat et al.			
	25.	12/29/1998	5,854,033	Lizardi			
	26.	02/16/1999	5,871,697	Rothberg et al.			

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Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 492692000610

Application Number Not Yet Assigned

Applicant

Nurith KURN

Filing Date Concurrently Herewith

Group Art Unit Not Yet Assigned

Mailing Date October 14, 2003

	27.	03/02/1999	5,876,976	Richards et al.			
	28.	03/30/1999	5,888,779	Kacian et al.			
	29.	09/28/1999	5,958,681	Wetmur et al.			
	30.	10/05/1999	5,962,271	Chenchik et al.			
	31.	10/05/1999	5,962,272	Chenchik et al.			
	32.	10/12/1999	5,965,409	Pardee et al.			
	33.	01/11/2000	6,013,431	Soderlund et al.			
	34.	02/22/2000	6,027,923	Wallace			
	35.	03/14/2000	6,037,152	Richards et al.			
	36.	08/22/2000	6,107,032	Kilger et al.			
	37.	11/07/2000	6,143,495	Lizardi et al.			
	38.	04/17/2001	6,218,151	Cleuziat et al.			
	39.	06/26/2001	6,251,639	Kurn			
	40.	09/18/2001	6,291,170	Van Gelder et al.			
	41.	03/19/2002	6,358,712	Jarrell et al.			

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Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation	
							YES	NO
	42.	04/28/1982	EP 0 050 424	Europe				
	43.	08/03/1983	EP 0 084 796	Europe				
	44.	12/17/1986	EP 0 201 184	Europe				
	45.	03/11/1992	EP 0 237 362	Europe				
	46.	03/02/1988	EP 0 258 017	Europe				
	47.	06/14/1989	EP 0 320 308	Europe				
	48.	05/02/1990	EP 0 365 627	Europe				
	49.	10/31/1990	EP 0 395 398	Europe				
	50.	08/05/1992	EP 0 497 272	Europe				
	51.	08/26/1992	EP 0 500 224	Europe				
	52.	09/23/1992	EP 0 505 012	Europe				

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	53.	05/26/1993	EP 0 543 612	Europe				
	54.	08/16/1995	EP 0 667 393	Europe				
	55.	11/18/1998	EP 0 878 553	Europe				
	56.	01/12/2000	EP 0 971 039	Europe				
	57.	11/29/2000	EP 1 055 736	Europe				
	58.	01/27/1995	JP 07-023799	Japan			Abstract	
	59.	12/29/1988	WO 88/10315	WIPO				
	60.	02/02/1995	WO 95/03426	WIPO				
	61.	02/06/1997	WO 97/04126	WIPO				
	62.	07/02/1998	WO 98/28443	WIPO				
	63.	04/15/1999	WO 99/18241	WIPO				
	64.	06/17/1999	WO 99/29901	WIPO				
	65.	07/29/1999	WO 99/37808	WIPO			Abstract	
	66.	08/12/1999	WO 99/40219	WIPO				
	67.	02/17/2000	WO 00/08208	WIPO				
	68.	05/18/2000	WO 00/28082	WIPO			Abstract	
	69.	07/13/2000	WO 00/40715	WIPO				
	70.	09/08/2000	WO 00/52191	WIPO				
	71.	03/22/2001	WO 01/20035	WIPO				
	72.	04/05/2001	WO 01/23613	WIPO				
	73.	09/07/2001	WO 01/64952	WIPO				
	74.	01/03/2002	WO 02/00938	WIPO				
	75.	04/11/2002	WO 02/28876	WIPO				
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	78.	09/19/2002	WO 02/072772	WIPO				
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	80.	Fu, D.-J. et al., (1997) "Sequencing double-stranded DNA by strand displacement" <i>Nucleic Acids Research</i> 25(3):677-679.
	81.	Gasparini, P. et al. (1996). "Scanning the First Part of the Neurofibromatosis Type 1 Gene by RNA-SSCP: Identification of Three Novel Mutations and of Two New Polymorphisms," <i>Hum. Genet.</i> 97:492-495.
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	86.	Orita, M. et al. (1989). "Detection of Polymorphisms of Human DNA by Gel Electrophoresis as Single-Strand Conformation Polymorphisms," <i>Proc. Natl. Acad. Sci. USA</i> 86(8):2766-2770.
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	88.	Sarkar, G. et al. (1992). "Screening for Mutations by RNA Single-Strand Conformation Polymorphism (rSSCP): Comparison with DNA-SSCP," <i>Nucl. Acids Res.</i> 20(4):871-878.
	89.	Suzuki, Y. et al. (1990). "Detection of Ras Gene Mutations in Human Lung Cancers by Single-Strand Conformation Polymorphism Analysis of Polymerase Chain Reaction Products," <i>Oncogene</i> 5(7):1037-1043.
	90.	Wu, D.Y. and Wallace, R.B. (1989). "The Ligation Amplification Reaction (LAR)--Amplification of Specific DNA Sequences Using Sequential Rounds of Template-Dependent Ligation," <i>Genomics</i> 4:560-569.

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	1.	05/08/2003	2003/0087251	Kurn			
	2.	04/04/1995	5,403,711	Walder et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	3.	10/04/2001	WO 01/73134	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	4.	Wang, E. et al. (2000). "High Fidelity mRNA Amplification for Gene Profiling," <i>Nature Biotechnology</i> 18:457-459.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.